

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**FEDERAL LAND BANK ASSOCIATION
OF SOUTH ALABAMA, FLCA,**

Plaintiff

v.

**H & H WORLDWIDE FINANCIAL
SERVICE, INC., et al.,**

Defendants,

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Civil Action No. 4:07-CV-02832

**ORDER DISMISSING WITHOUT PREJUDICE CLAIMS AGAINST DEFENDANTS
BLACK MOUNTAIN ENERGY CORPORATION, K & T MINING CORPORATION,
SABER MINING COMPANY, INC., AND JCG BROILERS, INC.**

Plaintiff Federal Land Bank Association of South Alabama, FLCA (the "Bank") moved pursuant to Federal Rule of Civil Procedure 41(a)(2) for an order dismissing without prejudice the Bank's claims herein against Defendants Black Mountain Energy Corporation, K&T Mining Corporation, Saber Mining Company, Inc. and JCG Broilers, Inc., and the Court, having considered the same and the arguments of the parties, finds that such dismissal without prejudice will not delay the trial of this case, or otherwise prejudice any party. Accordingly, the Court hereby grants such motion and it is hereby

ORDERED that all claims in this action against Defendants Black Mountain Energy Corporation, K&T Mining Corporation, Saber Mining Company, Inc. and JCG Broilers, Inc., be and are hereby dismissed without prejudice.

Signed February 2, 2009.


UNITED STATES DISTRICT JUDGE